

In The United States District Court
For The Northern District of Oklahoma **FILED**

Lindsey Kent Springer
Movant

JAN 21 2014

v.
United States of America
Respondent

Case # 13-CV-145 Phil Lombardi, Clerk
(Formerly 09-CR-043) U.S. DISTRICT COURT

Motion To Reconsider

Lindsey Kent Springer ("Movant") moves this Court to reconsider its order dated January 6, 2014, Doc 528, and grant production of each letter Mr O'Reilly identifies in his opposition, Doc 525, pg 1-2.

This Court stated:

"The basis of Mr. O'Reilly's authorization to sign the pleading on behalf of the United States is set out in the government's response to the motion to strike, Doc. 525, pp. 1-2. There is no reason to further address Mr Springer's frivolous argument that doc. 518 is not presented by an authorized representative of the government."

Doc 528, pg 2

With all do respect, this Courts reasoning is in direct conflict and tension with the Tenth Circuits decision in Sac & Fox Nation v. UOMO, 193 F.3d 1162, 1168 (10th Cir. 1999) which held that jurisdiction of this Federal Court: is not shown to the Court by!

"drawing from the pleadings inferences favorable to the party asserting it."

This very Court in K-Mar v. USPOB, 752 F.Supp. 2d 1207, 1210 (W.D. Ok 2010) held the burden rests on the party claiming jurisdiction. standing is an essential and unchanging part of the case-or-controversy requirement of Article III. Utah Wilderness Alliance v. Palma, 707 F.3d 1143, 1153 (10th Cir. 2013). Petitioner has a right to each of the letters Mr. O'Reilly identifies in his opposition. It is only through these letters he claims Article III standing to sue Movant.

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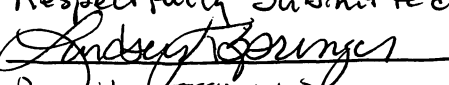
☒ Mail ☐ No Cert Svc ☐ No Orig Sign
☐ C/J ☐ C/MJ ☐ C/Ref'd ☐ No Env
☐ No Cpy's ☒ No Env/Cpy's ☐ O/J ☐ O/MJ

, This Court is required to have Mr O'Reilly's authorization affirmatively shown. The United States "functions only through its officers and agents." U.S. v. Singleton, 165 F. 3d 1297, 1300 (10th Cir. 1999) (en banc)

Movant objects to this Court's statement that requesting Mr O'Reilly show his purported letters of authorization from December 22, 2008 through present to solely represent the United States of America in this continuation of a criminal case, Doc 480, is not Frivolous, but rather the law. Without a United States attorney after June 28, 2009, Mr. Snokes authorization, as well as Mr. Woodward and Gallant's status as assistant to a United States attorney, is not legally or factually possible. Assistants are to be supervised. Martinez v. Wimer 778 F.2d 553, 556 (10th Cir. 1985)

Conclusion

Movant respectfully request reconsideration of this Court's order dated January 6, 2014, and find Mr O'Reilly's requirement to affirmatively show his authorization to represent the United States of America in this case is mandatory, not Frivolous; and direct Mr O'Reilly or Mr Williams within Ten days provide a declaration under penalty of perjury that attaches each of the letters identified in his November 24, 2013 opposition, Doc 525, pg 2 beginning December 23, 2008, and includes the January 5, 2009, January 4, 2010, January 4, 2011, January 10, 2012, December 19, 2012, letters plus any newly issued letter having been issued since the November 24, 2013 Filing, to both this Court and Movant.

Respectfully Submitted

Res. # 02580-063

Federal Satellite Law
P.O. Box 6000
Anthony, New Mexico 88028

Certificate of Service

I hereby certify that on January 14, 2014, I mailed to the Clerk of Court at 333 West Fourth St, Tulsa Oklahoma, 74103, the above Motion to Reconsider!

I further certify that all the parties to this case are ECF registered users and shall receive service through the ECF system!

Danny C. Williams Sr.

Charles A O'Reilly

Jeffrey Ballard

Lindsey H. Spry
Server

Declaration of Mailing

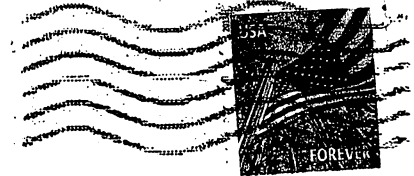
I declare under penalty of perjury that I deposited the above Motion to Reconsider in the U.S. mailbox located inside LaTuna FSL on January 14, 2014.

Lindsey H. Spry
Declarant

Lindsey Kent Springer
Reg # 02580-063
Federal Satellite Law
P.O. Box 6000
Anthony, New Mexico 88021

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Clerk Of Court
N.D. Okla.
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Tulsa, OK 74103
United States

RECEIVED

JAN 21 2014

James J. Boardi, Clerk
U.S. DISTRICT COURT

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